HARRY THAW'S MOTHER'S STORY

She Broke Down While Telling of Her Son's Condition After Return From Paris.

CONSENTED TO HIS MARRIAGE

One Condition Was That Evelyn Nesbit's Past Must be a Closed Book for All Time.

New York, March 6 .- Another dramatic chapetr was added to the history of the trial of Harry K. Thaw for the murder of Stanford White today, when the defendant's mother took the witness stand to contribute what she might toward saving her son from the electric chair. Mrs. Thaw's stay before the jury was brief. When Mr. Delmas had definitely limited her examination to the change she had noted in her son's condition following his return from Paris in 1903 after Evelyn Nesbit had told him in 1903 after Evelyn Nesolt had told alloher life story, and when Dist. Atty. Jerome had with great consideration conducted a short and ineffectual cross-examination, the mother love welled strong in Mrs. Thaw and she felt she had not done her all. She was loath to leave the wilness chair.

leave the witness chair.
"There is the question of heredity,"
she protested, when both Mr. Delmas
and Mr. Jerome told her she might

step down.

'I have asked you, madame, all that is considered necessary,' said Thaw's attorney with the utmost deference.

Mrs. Thaw half rose, hesitated and was about to sit down again, when the leading counsel for the defense offered her his hand to assist her from the

Twice during her recital Mrs. Thaw broke down and was unable to pro-

After a few moments Justice Fitzgerald asked solicitously if she felt able to
proceed, and Mrs. Thaw, evidently
much chagrined that her great grief had
evercome her strong will of resistance,
nodded in the affirmative. She declined
a glass of water, made an effort to
proceed, but falled. Justice Fitzgerald
then interposed a relief for which the
eiderly woman facing him must have
been deeply grateful. He said that as
many of her remarks har been uttered
in a very low voice, it would be necessary to have the stenographer read all
her testimony up to that time to the her testimony up to that time to the

sary to have the stenographer read all her testimony up to that time to the jury.

When the reading was ended Mrs. Thaw had regained her composure and was able to proceed.

She said that when Harry came home in 1903 he seemed depressed and apparently had lost all interest in life. He passed sleepless nights; would often leaves the table at meals and go into the parlor to play upon the piano, the music growing softer and softer until it finally died away.

"He told me a wicked man—probably the wickedest man in all New York—had ruined his life."

It was not until some time after he has offered this explanation of the change in him that she learned the story of the young woman who was to become her daughter-in-taw.

Mrs. Thaw told of her son breaking down in a Pittsburg church and explaning that it was all because of the sorrow which prevented the young woman he loved heing at his side. Mrs. Thaw told of coming to New York to meet Evelyn Nesbit and of giving her consent to her son's marriage—the one tondition being that the girl's past life in New York should be a closed book, never to be referred to in any way. Then came the story of the marriage in Pittsburg in April, 1905, the honeymoon trip and then a happy, placid summer spent at the mother's country home in the mountains. Mr. Delmas ended her testimony abruptly. The district attorney was taken by surprise and began to cross-examine Mrs. Thaw in a very low voice. He asked the conditions surrounding the son's allowance, but Mr. Delmas objected. He asked what the son's income amounted to. Mrs. Thaw said it was moderate and but Mr. Delmas objected. He asked what the son's income amounted to. Mrs. Thaw said it was moderate and nothing like the sum the newspapers have so often reported. Mr. Jerome next treaded upon what he must have felt the thinnest of ice, lest he put himself in the attitude of attempting to harass the pathetic figure in black on like witness stand. He asked the mother what she knew of her son's relations with Mizs Nesbit before she became his wife.

"Nothing," she replied without besi-

"Nothing," she replied without besi-

"Nothing," she replied without hesilancy.
The district attorney seemed completely buffled and speedily brought his
examination to a close.
Mis. Thaw's story was deeply imlightly in the story of the lands of the 12 men in the jury-box
who today heard the mother's story
there seems little doubt that what she
taid will carry wonderful weight. But
Mr. Jerome gave the impression that If Harry Thaw's fate is thrown into the Lands of the 12 men in the jury-box who today heard the mother's story?"

There seems little doubt that what she said will carry wonderful weight. But Mr. Jerome gave the impression that we might use the mother's testimony is a weapon in another direction—in his fight to have a commission appointed to test the present state of mind of the feefendant. While the elder Mrs. Thaw was on the stand the district attorney magaged in a wordy war with Mr. Delmas was instanced in the first time the threat of a juncture youngission. Mr. Delmas was inspected in the first time the threat of a juncture youngission. Mr. Delmas was inspected by the testimony of the alientists as a period when Thaw was insane. Then Mr. Jerome withdrew his objection and allowed the without the purport of the conversation. "He told me the story," said Mrs. Thaw, "but not definitely. He said his troubles were caused by something a wicked man had done in New York, probably the wickedest man in New York. He said it had ruined his life, and he'never could be happy. That was all I could get from him for a week."

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irst few doses.

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&&&&&&&&&&

son in the latter year. These conversa-tions were admissable only on the ground that they were the utterances of a person mentally irresponsible. Mr. Sactine said there was no reason why the assumption should not continue down to the present, and if Mr. Delmiss' point was well taken the trial should be down to the present, and if Mr. Delimes' point was well taken the trial should be point was well taken the trial should be suspended and a commission appointed.

Justice Fraggard upheld Mr. Delmas and said the question of a commission was not before the court. With the completion of the mother's tertimonal today Thaw's atterneys said they would have but two more witnesses—experis—who will be called upon to answer a tently framed hypothetical out of son newly-framed hypothetical question covering the entire case from beginning to end. These experts are said to be Doctors Graeme, M. Hammond and Smith E. Jelliffe,

Smith E. Jelliffe,
Harry Thaw, during his mother's stay upon the stand, seemed unusually pale and exit mely nervous.

At the end of Mrs. Thaw's examination court adjourced over until Friday marning, a death m Justice Fitzgerale's family causing an abandonment of the Thursday sitting.

MRS. THAW'S STORY.

Mrs. William Thaw was called to the stand immediately after court assembled for the afternoon session. Clerk Pamy had called the roll of the hay when Mr. Delmas whispered to him, and in a loud voice the clerk commanded:

Mrs. William Thaw to the witness

stand."

Mrs. Thew as reared a moment later, she was still choosed in the same black frock in which she appeared the first day of the trial.

With head crect and well thrown back she walked to the witness chair. She stopped at the corner of the jury box and the court crier handed her the Bible. Clerk Penny administered the oath, and as Mrs. Thaw took her place in the chair the court crier announced: "Harriet Copley Thaw."

Harry Thaw was all interest. He say

Harry Thaw was all interest. He sat facing his mother and seemed extreme-ly nervous. He rested his cheek on his hand and bit his nails.

Mrs. Thaw repeated her name in response to a question by Mr. Delmas, speaking in a tone so low as hardly to be heard. Mr. Delmas stood immediately at her

Mrs. Thaw said that in the fall and winter of 1903 she was living in Pitts-

Her son, Harry, came home, she said, on the 16th or 17th of November, a day or two before his brother Josiah's wed-"During the time your son Harry was at home did you notice anything unnatural about his condition? Asked Mr.

"I certainly did," replied Mrs. Thaw, "Will you please describe what took

"The day when he first came to the door there was a look of absentminded-ness on his face. A despairing look." SAW CHANGE IN SON.

"Did the impression of a change your son grow on you?" asked Mr. Del-

"Yes. His room was next to mine. Often in the night I heard smothered sobs. Sometimes when I was awake late at night I would see a light under his door and often found him sitting up at 3 o'clock in the morning.

"He told me he could not sleep, and there was no ass going toked."

there was no use going to bed. I asked him to tell me what the matter was. He said it was impossible to tell me his

story."
"Did he at any time, in answer to your questions, freely tell you the story?"

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germ disease; and

must have forgotten it." replied Thaw. "He told me in November, that he wanted to marry her, but he had been frustrated."

Mrs. Thaw said that in February, 1905, she and Harry took a trip south.
"He then asked me to come on to New York and meet the young woman," continued Mrs. Thaw. "In March I

After meeting the young woman we turned to the hotel and Harry asked e if I had any objection to his marry-

Mrs. Thaw said Harry seemed absorbed, as if he was working with a great problem. He was very fend of music and often he would leave the table and go into the parior. and I can hardly conceive that it is the purpose of the district attorney to attempt to discredit the witness."

JEROME VERY RESPECTFUL. Mr. Jerome was profoundly respect-ful in his artitude toward the defend-ant's mother as he continued his cross-examination; He asked the witness it she would kindly state what her son's Mrs. Thaw, as she told of her son's condition, almost broke down.
"I would hear loud music upon the plane, which would gradually grow softer and softer. And he would come back to the table as if nothing has happened. Income was subsequent to June, 1903.

"I am not able to say exactly. It was certainly not what the newspapers

have said."
"Was the income from his father's estate?" The week before Thanksgiving I un-

"Was the income from his father's estate?"

"It was from his own estate, inherited from his father."

Mrs. Thaw said she could not give any figures, but would say that the income was a "moderate one."

"When." asked Mr. Jerome in a low voice, "did the defendant first inform you of his relations with the young woman who became his wife?"

Mr. Delmas objected. He said the question assumed what was not in the evidence. Mr. Jerome changed the form and asked:

"The week before Thanksgiving I understood more. I did not ask for it. I did not want to know it, but I did know that his condition had something to do with a young girl. He had told me about the wicked man in New York, but it was only later that I found out that this man had ruined a young girl.

"After I found his condition was due to something which had been done to a young girl. I asked him why he should allow his life to be ruined." "Harry said the girl had been neglectshould allow his life to be ruined.

"Harry said the girl had been neglected by ber mother, or that she had no mother, or this thing would not have happened. He said there was still a chance for her to be good. Tean't recall all that he said.

"On Thanksgiving day Harry and I were alone." evidence. Mr. Jerome changed the beand asked:
"Did the defendant ever disclose to you the fact that he had sustained relations with the young woman before she became his wife?"

were alone.' Mrs. Thaw's voice failed, Her face flushed and her eyes filled with Justice Fitzgerald asked if she could proceed. She nodded, but remained

NEARLY BROKE DOWN.

JUDGE RELIEVES SITUATION.

To relieve the tense situation, Jus-ice Fitzgerald ordered that all of Mrs.

To relieve the tense situation, Justice Fitzgerald ordered that all of Mrs. Thaw's testimony up to this time be read to the jury by the stenographer. Mrs. Thaw's voice had been so low that her words could not be heard distinctly, even by the jury.

"It was the first Thanksgiving in our large and beautiful new church," said Mrs. Thaw, when she was able to resume. "Harry and I went to church and it was so crowded we had to sit well back under the gallery. When the choir was singing Kipling's 'Recessional,' I heard Harry sob and, looking around, I saw tears falling upon the program. He was trembling all over, but I quieted him.

"As we drove home I asked him how he come to forget himself. He said this dreadful thing had suddenly come over him and if it had not happened she might have been with us

sened she might have been with us "When did you first learn who the young woman was?" asked Mr. Del-

mas.

"I cannot recall exactly: I think it was in the spring of 1994."

"Do you recall the conversations you had with your son at that time?"

Mr. Jerome objected on the ground that there was nothing in the evidence to show that Thaw was insane at that time. The conversations, he declared, should be confined to the periods of insanity as testified to by the experts.

Mr. Delmas replied that Dr. Wagner had testified that Thaw's insanity began in 1902, when he heard Evelyn's story.

Mr. Jerome interrupted Mr. Jerome interrupted:
"Are you invoking the rule which I pointed out yesterday," he asked, "that the presumption of the defendant's insanity continues until other-

"That is the rule of law which I invoke to cover the point I now wish to make," replied Mr. Delmas. LUNACY COMMISSION POSSIBLE.

LUNACY COMMISSION POSSIBLE.

Mr. Jerome, now, for the first time since the trial began, mentioned publicly the possibility of a suspension of the trial for the appointment of a commission in lunacy.

"We have testimony here," said Mr. Jerome, "that this defendant was insane in July, 1903, insane in November, 1903, insane April 4, 1905, and insane June 25, 1906. Why does he not continue insane right down to the present time if the presumption Mr. Delmas cites is correct? And why should not this trial cease—be suspended until the matter of the defendant's present state of mind can be inquired into?"

Mr. Delmas rose to reply.

"The question of a suspension of this

Mr. Delmas rose to reply.

"The question of a suspension of this trial is not before your honor for determination," he declared. "The presumption which I have cited permits us to give the testimony which is under discussion."

The argument was long, the attorneys taking sides opopsite to those they took yesterday, when Mr. Jerome desired to obtain from Dr. Wagner testimony regarding conversations he had with Thaw in the Tombs during testimony regarding had with Thaw in the Tombs during the last five visits he made to him, Mr. Jerome argued that while, as he claimed yesterday, insanity once established, is presumed to continue until it is shown that the condition has disappeared. In this case Dr. Wagner's testimony was proof enough to overcome the presumption. He said the come the presumption. He said the experts had testified that Thaw was insane at periods from 1903 to 1905. The defense, he said, wished the judge to rule that for three years Thaw was

to rule that for three years Thaw was continuously insane.

"But now." he said, "after seven months in jail, he sits here perfectly lucid and able to advise his counsel."

If it was claimed that Thaw is insane now, Mr. Jerome said, it was only a matter of appointing a commission in lunacy and stopping the trial. Justice Fitzgerald interrupted to say that the matter of a commission was not before him and that he was simply passing on Mr. Delmas' objection.

Justice Fitzgerald read from a decision covering the point, and sustained the objection, which allowed Mrs. Thaw to proceed with her narrative.

to proceed with her narrative.

Mrs. Thaw then testified as to conversations with her son between
Thanksgiving, 1902, and Harry's depart. Thanksgiving, 1903, and Harry's departure for Europe in the spring of 1904.
"He told me the girl's name," said Mrs. Thaw. "He said she had been persuaded to go upon the stage, which was very bad for her."

Harry returned to Pittsburg, she said, ir: November, 1904.

EXPRESSED HER DISAPPROVAL. "There had been a horrible scandal," "There had been a horrible scandal," said Mrs. Thaw, "or at least they made it out a scandal. I remember my expressing my disapproval of his coming home in the same ship with the girl. He explained it all to me. He was still of a mind to marry her."

"You have said nothing before about his wanting to marry her," interrupted Mr. Delmas.

told him it was not necessary for to give my consent. He said he not want to do anything against wishes.

old not want to do daything against my wishes.

"I said I was perfectly willing. I did afterward make one condition—not to prevent the marriage—but I told Harry if he matried the girl and came to my house to live here in the east her past life must be a closed book—her past life in New York."

"We will come to that presently," interrupted Mr. Delmas.

"We arranged that the woman should come to Pittsburg and we arranged for chaperonage, etc. When Harry came home for the wedding he seemed to be laboring under a great stress, and feared that the wedding would be interfered with by the young woman's mother on account of the girl's minority."

Immediately after the recess of 15 inutes Mr. Delmas announced his disect examination of Mrs. Thaw was oncluded, and Mr. Jerome began his coss-examination. He asked Mrs. haw if she was not for a time ufter or husband's death a trustee under his

'He did not," said Mrs. Thaw, firmly.
"When your son returned to Pitts-burg in the fall of 1903," said Mr. Jerome, "he expressed a desire to you to marry Miss Nesbit?"
"He did."

"Did he ever express a fear that others would prevent her from accept-ing him?"
"He said she had told him it would

"He said she had told him it would be a very unsuitable match. I said if she came to me her past would be a closed book. The man's name was never mentioned in my presence."

"I did not understand, madame, what you said about this defendant's remarks to the said about this defendant's remarks."

you said woout this defendant's remarks to you about Miss Nesbit's mother of being no help to him."

"He said she would not help him to raise the girl out of her condition."

After one or two unimportant questions Mr. Jerome closed his cross-examination "Is that all I am to say?" asked

Mrs. Thaw.
Mr. Delmas said there was nothing more for her to say.
"I wanted, if permissible, to say something about heredity," said Mrs. Thaw, rising in her seat and speaking correction.

In a low voice Mr. Deimas explained that there was nothing more she could say, and led her from the witness chair. chair.

Mr. Denmas then stated that the defense would call only two more witnesses—experts—who would be requested to answer a hypothecal question covering the whole case from beginning to end and embracing every fact which has the remotest bearing on the case.

ginning to end and embracing every fact which has the remotest bearing on the case.

The two alienists to be called are Drs. Hammond and Jelliffe.

Justice Fitzgerald announced that owing to a death in his family he would not hold court tomorrow. Adjournment was then taken until 10:30 a. m. Dist. Atty. Jerome has applied to Comptroller Metz for an emergency appropriation of \$15,000 in special revenue bonds to pay the expenses of experts engaged by the state to testify as to the sanity of Harry Thaw on the night he shot Stanford White.

In the trial of Albert T. Patrick for the murder of William Rice, the district attorney obtained more than \$50,000 to pay the expense of experts employed by the state.

PLANS OF THE DEFENSE.

PLANS OF THE DEFENSE.

New York, March 7.—A death in
Justice Fitzgeraid's family has postponed the sessions of the Thaw trial

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for a day and court will not sit today. On Friday, when court reconvenes and the defense will call more alienists, probably Dr. Graeme M. Hammond, and Dr. Smith E. Jelliffe, who have been in the courtroom practically every day since the trial began. Before the court adjourned yesterday, Mr. Delmas, leading counsel for the defense, stated that there would be but two more witnesses called. The attorneys will devote today to forming the hypothetical question which they will put to these experts. This question Mr. Delmas said last night, will cover every fact in the case. How long it will take Mr. Jerome to cross-examine these experts no one can tell. It will whit take Mr. Jerome to cross-examine these experts no one can tell. It will depend vary largely on their attitude and their willingness to give direct answers. This decision makes it certain that a number of the witnesses who have been expected to testify for the defense will not be called, at least in the presentation of the direct case. Among these are Roger O'Wears. Among these are Roger O'Meara, Thaw's Pittsburg detective friend, and May McKenzle, Mrs. Evelyn Nesbit Thaw's chorus girl friend. Both may be called upon when the defense reach-es its sur-rebuttal, but it now seems loubtful if they will be called even

then.

The plans for the defense in regard to what Mrs. William Thaw, the white-haired mother of the defendant, would testify to were changed. It had been announced that she would testify as to insanity in her family, but Mr. Delmas would not allow her to do so even after she asked in open court to be allowed to. This was probably due to the fact that the defense does not desire to pile up any more evidence of the taint of insanity in Thaw's blood. Mrs. Thaw's testimony as to the menshe to pie up any more evicence of the taint of insanity in Thaw's blood. Mrs. Thaw's testimony as to the mental condition of her brother and other members of her family could do nothing but tend to show that the taint in the blood is one that would perhaps be permanent. The defense goes on the theory that Thaw was insane from early in 1902 until acter June 25, 1906, but that after White, the man whom he believed to be responsible for all his trouble, was dead, his mind rapidly became normal.

The defense has not yet introduced testimony to show that Thaw is sane today, but may do so by the experts who are to go on the stand Friday. The only evidence that has so far been introduced which tends to show that he is at present sane, is Dr. Evans' testi-

is at present sane, is Dr. Evans' testi-mony that when he saw him in the Tombs Oct. 3, his condition was great-ly improved and that the improvement was of a progressive character.

I WAS IN AGONY From sore hands until cured by Cuti-cura.—Mrs. M. Drew, Doxbury, Mass.

DIVORCE INDUSTRY.

South Dakota Legislature Passes a Bill To Limit It.

Pierre, S. D., March 6.—The house passed the senate divorce bill requiring a residence of one year in the state and three months in the county before beginning a divorce suit, with all hearings in open court. This law kills the divorce industry of the state.

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will.

Mr. Delmas at once objected. "This is not proper cross-examination," said he. "This matter was not gone into,

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